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State of California

Commission on Judicial Performance

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JACK E. FRANKEL
DIRECTOR/CHIEF COUNSEL

September 27, 1989

Honorable Bruce A. Clark
Judge of the Municipal Court
Ventura County Municipal Court District
800 South Victoria Avenue
Ventura, CA 93009

Dear Judge Clark:

At its August 1989 meeting, the Commission on Judicial Performance determined that you should be publicly reproved for the conduct set forth below.

The conduct which is the subject of the public reproof is as follows:

In June 1988, in your home, Assemblywoman Cathie Wright spoke with you about two traffic tickets received by her daughter. These cases were pending in your court. Based on that communication, you took several judicial actions in chambers: (1) You struck the requirement that the defendant appear in court on the tickets. (2) You permitted defendant to attend traffic school in connection with both tickets. (3) You ordered that both speeding counts be dismissed upon receipt of a traffic school certificate.

Because the communication from Assemblywoman Wright was in your own home, and because your judicial acts were in chambers, the prosecutor had no opportunity to participate in these proceedings, nor had the public any opportunity to observe them. The judicial decisions you made, though lawful, were unusually lenient.

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This conduct warranted discipline under Article VI, section 18(f)(2) of the California Constitution. In particular, it violated the California Code of Judicial Conduct, including the following provisions:

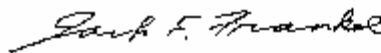
Canon 2A: Judges should respect and comply with the law and should conduct themselves at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

Canon 2B: Judges should not allow their families, social, or other relationships to influence their judicial conduct or judgment. Judges should not . . . convey or permit others to convey the impression that they are in a special position to influence them.

Canon 3A(4): Judges should accord to every person who is legally interested in a proceeding, or that person's lawyer, full right to be heard according to law, and except as authorized by law, neither initiate nor consider ex parte or other communications concerning a pending or impending proceeding. . .

In determining that a public reproof would be adequate discipline, the commission considered your lengthy service without discipline and your recognition that you should have handled the matter differently. The commission also considered that the incident appeared to be isolated. This public reproof is being issued with your consent.

Very truly yours,


JACK E. FRANKEL

JEF:JP:pwh